

STAND. COM. REP. NO. 184

Honolulu, Hawaii

Feb 8, 2007

RE: H.B. No. 1004
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Sir:

Your Committees on Consumer Protection & Commerce and Energy
& Environmental Protection, to which was referred H.B. No. 1004
entitled:

"A BILL FOR AN ACT RELATING TO CONSUMER ADVOCACY,"

beg leave to report as follows:

The purpose of this measure is to restructure the Division of
Consumer Advocacy of the Department of Commerce and Consumer
Affairs.

This bill also appropriates funds for additional positions in
the Division of Consumer Advocacy and for training of its
professional staff.

Testimony in support of this measure was received from the
Public Utilities Commission, the Division of Consumer Advocacy,
the Gas Company, the Hawaii Solar Energy Association, the Hawaii
Energy Policy Forum, the Hawaiian Electric Company, and Honolulu
Seawater Air Conditioning, LLC. Life of the Land expressed major
concerns.

Your Committees find that this bill effectuates the
recommendations made in the Division of Consumer Advocacy's report
in response to Act 143, Session Laws of Hawaii 2006. Act 143
required the Division of Consumer Advocacy to "conduct an in-depth
review of its organization to develop a comprehensive plan to



184

restructure and supplement the division and its resources to function more effectively and efficiently."

Your Committees have amended this measure by:


- (1) Clarifying that section 2 of the bill shall not be construed to limit any existing authority of the Department of Commerce and Consumer Affairs to restructure the Division of Consumer Advocacy without prior legislative approval;
- (2) Deleting the reference to "researcher" in section 3 to afford the Division of Consumer Advocacy flexibility in determining the nature of the analyst positions necessary to fulfill its mission;
- (3) Deleting section 4 and replacing it with sections 3 and 4 of H.B. No. 1308 so that the additional utility analyst positions will be funded using moneys from the Public Utilities Commission special fund rather than the general fund;
- (4) Adding new sections 6 and 7 to provide funding from the Public Utilities Commission special fund for specialized training of the professional staff of the Division of Consumer Advocacy;
- (5) Changing the effective date to July 1, 2020, to facilitate further discussion of the measure; and
- (6) Making technical nonsubstantive amendments for the purposes of clarity and style.

As affirmed by the records of votes of the members of your Committees on Consumer Protection & Commerce and Energy & Environmental Protection that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1004, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1004, H.D. 1, and be referred to the Committee on Finance.

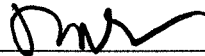


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Respectfully submitted on
behalf of the members of the
Committees on Consumer
Protection & Commerce and
Energy & Environmental
Protection,



HERMINA MORITA, Chair



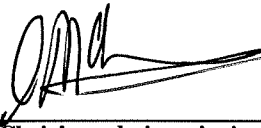
ROBERT N. HERKES, Chair



State of Hawaii
House of Representatives
The Twenty-fourth Legislature

HSCR 18A

Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: HB 1004		Date: February 5, 2007		
Committee Referral: CPC/EEP, FIN		<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.		
The recommendation is to: <input type="checkbox"/> Pass, unamended <input type="checkbox"/> Hold <input checked="" type="checkbox"/> Pass, with amendments <input type="checkbox"/> Pass, with amendments, for recommittal for further consideration				
CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. HERKES, Robert N. (C)	X			
2. McKELVEY, Angus L.K. (VC)	X			
3. CALDWELL, Kirk	X			
4. EVANS, Cindy	X			
5. GREEN, Josh, M.D.	X			
6. ITO, Ken				X
7. LUKE, Sylvia	X			
8. MORITA, Hermina M.	X			
9. SONSON, Alex M.	X			
10. SOUKI, Joseph M.	X			
11. TSUJI, Clift	X			
12. YAMANE, Ryan I.	X			
13. YAMASHITA, Kyle T.	X			
14. MARUMOTO, Barbara C.	X			
15. THIELEN, Cynthia		X		
TOTAL	13	1		1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – HMSO Duplicate (Pink) – Clerk's Office				

HSR 184

Bill/Resolution No.: HB 1004		Date: 2/5/07		
Committee Referral: CPC/EEP, FIN		<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.		
The recommendation is to:				
<input type="checkbox"/> Pass, unamended <input type="checkbox"/> Hold		<input checked="" type="checkbox"/> Pass, with amendments <input type="checkbox"/> Pass, with amendments, for recommitment for further consideration		
EEP Members	Ayes	Ayes (WR)	Nays	Excused
1. MORITA, Hermina M. (C)	✓			
2. CARROLL, Mele (VC)	✓			
3. CHONG, Pono	✓			
4. ITO, Ken				✓
5. MAGAOAY, Michael Y.	✓			
6. SAGUM, Roland D., III	✓			
7. SAIKI, Scott K.				✓
8. THIELEN, Cynthia		✓		
TOTAL	5	1		2
The recommendation is:				
<input checked="" type="checkbox"/> Adopted				
<input type="checkbox"/> Not Adopted				
If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Clerk's Office				